I. Claims 1-18, 22, 42-44, 47-52, and 75-83, drawn to pharmaceutical compositions comprising a Notch protein, fragments, chimeras, derivatives or analogs of a Notch protein, methods of treating or preventing malignancy or nervous system disorder, a method of promoting tissue regeneration or repair, and a method of treating a benign dysproliferative disorder, classified in Class 514, subclass 2.

II. Claims 19, 20, and 53, drawn to a pharmaceutical composition comprising a derivative or analog of a Delta protein and a method of treating or preventing a malignancy, classified in Class 514, subclass 2.

III. Claims 21 and 54, drawn to a pharmaceutical composition comprising a derivative or analog of a Serrate protein, classified in Class 514, subclass 2.

IV. Claim 23-28, 31, 45, 55-58, 63-67, and 84-89, drawn to a pharmaceutical composition comprising a nucleic acid encoding a Notch protein, fragments or chimeras of a Notch protein, a method of treating or preventing malignancy comprising administration of nucleic acid encoding a Notch protein, a method of treating a patient with a tumor, and a pharmaceutical composition comprising an isolated oligonucleotide consisting of at least six nucleotides, classified in Class 514, subclass 44.

V. Claims 29 and 59, drawn to pharmaceutical compositions comprising nucleic acid encoding a fragment of a Delta protein, and a method of treating or preventing malignancy comprising administration of nucleic acid encoding a Delta protein, classified in Class 514, subclass 44.

VI. Claims 30 and 60, drawn to a pharmaceutical composition comprising nucleic acid encoding a fragment of a Serrate protein, and a method of

treating or preventing malignancy comprising administration of nucleic acid encoding a Serrate protein, classified in Class 514, subclass 44.

VII. Claims 32, 33, 41, 61, and 62, drawn to a pharmaceutical composition comprising an antibody, and a method of treating or preventing malignancy comprising administration of antibody, classified in Class 424, subclass 85.8.

VIII. Claim 46, drawn to a method of treating a disease or disorder in a subject comprising administering a molecule which promotes the function of a Notch protein, classified in Class 514, subclass 1.

IX. Claims 68-74, drawn to a methods of diagnosing a disease or disorder, classified in Class 435, subclass 6.

The Examiner states that claims 31-40 link inventions I, IV, and VII, and will be examined if any one of I, IV, or VII is elected.

The Examiner contends that the inventions are distinct, each from the other.

In order to be fully responsive, Applicants hereby provisionally elect the invention of Group IX, claims 68-74, drawn to methods of diagnosis, with traversal.

With respect to Examiner's division of the invention into nine groups and the reasons stated therefor, Applicants respectfully traverse.

The individual groups of claims specified by the Examiner are not distinct inventions, but rather an intricate web of knowledge and continuity of effort which merit examination of all claims in a single application. Even assuming *arguendo* that Groups I-IX represented distinct or independent inventions, Applicants submit that to search the subject matter of all the Groups together would not be a serious burden on the Examiner.

The M.P.E.P. § 803 (Fifth Edition, Rev. 8, May 1988) states:

If the search and examination of an entire application can be made without serious burden, the examiner >must< ** examine it on the merits, even though it includes claims to distinct or independent inventions.**

Thus, in view of M.P.E.P. § 803, all of claims 1-89 should be searched and examined in the subject application.

Accordingly, Applicants respectfully request that the Restriction Requirement Under 35 U.S.C. § 121 be withdrawn and the instant claims be examined in one application.

Applicants retain the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

Respectfully submitted,

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Enclosure